

House Resolution 808

By: Representative Smith of the 134<sup>th</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that funds derived from an  
2 additional .2 percent increase in the general state sales and use tax shall be appropriated for  
3 the treatment of autism spectrum disorder; to authorize the General Assembly to allocate and  
4 direct the use of such funds by general law; to provide for related matters; to provide for  
5 submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### SECTION 1.

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8 Article III, Section IX, Paragraph VI of the Constitution is amended by adding a new  
9 subparagraph to read as follows:

10 "(o) The General Assembly is authorized to increase the general state sales and use tax  
11 rate as set by general law on January 1, 2015, by an additional .2 percent to be used for  
12 treatment of autism spectrum disorder. Beginning with the start of a fiscal year  
13 immediately following the increase authorized by this subparagraph an amount equal to  
14 the sum of 100 percent of all funds collected from such .2 percent increase in the general  
15 state sales and use tax received by the state the immediately preceding fiscal year, less  
16 the amount of refunds, rebates, and collection costs authorized by law, shall be  
17 appropriated for the next fiscal year beginning on the following July 1 of each year for  
18 the treatment of autism spectrum disorder pursuant to general laws enacted by the  
19 General Assembly of Georgia. 'Autism spectrum disorder' means autism spectrum  
20 disorders as defined by the most recent edition of the Diagnostic and Statistical Manual  
21 of Mental Disorders. The General Assembly is specifically authorized to allocate and  
22 direct the use of the funds provided for under this subparagraph by general law. The  
23 funds provided for under this subparagraph shall be appropriated for the treatment of  
24 autism spectrum disorder authorized under this subparagraph regardless of whether the  
25 General Assembly enacts a General Appropriations Act, and said funds need not be  
26 specifically stated in any General Appropriations Act passed by the General Assembly  
27 in order to be available for such purposes. However, this shall not preclude the General

Assembly from appropriating for such purposes an amount greater than the sum specified above for such purposes. The expenditure of such funds shall be subject to all the rules, regulations, and restrictions imposed on the expenditure of appropriations by provisions of the Constitution and laws of this state, unless such provisions are in conflict with the provisions of this subparagraph; provided, however, that the proceeds of the sales tax appropriated under this subparagraph shall not be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air or in case of a major catastrophe so proclaimed by the Governor, such funds may be utilized for defense or relief purposes on the executive order of the Governor."

## SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"( ) YES Shall the Constitution of Georgia be amended so as to provide that funds derived from a .2 percent increase of the general state sales and use tax shall ( ) NO be appropriated for the treatment of autism spectrum disorder and to authorize the General Assembly to allocate and direct the use of such funds by general law?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.